GREEN ARRAIGNED.

Another Session of the Aldermanic Investigating Committee.

GREEN'S INSOLENCE TO VAN NORT

His Ideas of Official Courtesy Illustrated.

CONCEALING PUBLIC DOCUMENTS.

The Commissioner of Accounts Thwarted by Him at Every Step.

The Committee on Law of the Board of Aldermen resumed vesterday afternoon its investigation into principal witnesses were Commissioner Van Nort testimony on the obstructive policy of Mr. Green was of great importance. Mr. Van Nort, who eemed loth to expose the enmity between two high officials to public gossip, was yet driven to him was frequently "brusque and unfriendly," Comptroller hampered the Commissioners of Accounts in their investigation of the Finance Department in every possible manner, and had even gone so far as to insult them grossly by informing them that he "would not waste his valuable time on them" when they applied for certain important papers. Mr. Van No. t's marked reticence and unwillingness to testily indicated that what ne told fell far short of what he knew, and, in fact, he spared Mr. Green (who, according to Mr. Van Nort's own admission, had frequently insulted him) in a manner that was certainly magnanimous.

The examination was conducted principally by the chairman of the committee, Alderman Purroy. Before any witnesses were called a communica-tion was read from Dock Commissioner Wales, isking to be excused from attendance as he had to be present at the meeting of the Dock Commisnoners. The communication stated at the same time that he had not yet reduced his testimony to writing, and would be sure to attend the next session of the committee.

Mr. John Wheeler, President of the Department

of Taxes, who had been subposneed as a witness, was excused on the ground of illness.

The Chair said Mr. John B. Haskin had also

sent word down that he was ill, but that he would attend at the next session. Subsequently the following letter from Mr. Haskin was read by the

Draw Sir.—Severe indisposition and a mutiplicity of business engagements have prevented me from completing my enarges and specifications of Comptroller and ew., Green's official misconduct. I hope to be able to have them finished and ready for presentation of your committee at its next session about one week bense. In the meantime 1 beg the industence of your committee. Yours truly.

A discussion ensued on the advisability of ap-

plying for attacaments against a number of other witnesses that had not put in an appearance, but JUDGMENTS AGAINST THE CITY.

The first witness called was Mr. Gumbleton, Deputy County Clerk. He presented a list of judg-ments filed in the County Clerk's office against the city from October 1, 1871, to February 15, 1875, optained in the Supreme Court, Superior Court, Court of Common Pleas and Marine Court; these judgments were 493 in number, and the total amount \$2,739,407 94; of these 493 judgments only about 200 are satisfied; the legal costs of the judgments obtained in the Supreme Court were \$50,755 67, and the interest on the amounts claimed \$103,758 94; he could not give the costs and interests in the judgments obtained in the other courts, as the gross amounts of the judgments only were filed in his office.

MR. VAN NORT'S TESTIMONY.

George M. Van Nort, Commissioner of Public Works, was examined by Mr. Purroy. Witness was asked if he had read the resolucommittee of investigation. A. No, sir. The resolution was then read to the witness.

the Comptroller has in any way obstructed the preting the law, differed with the other depart. ments, and in that way payments were delayed. Q. Do you know any cases of that kind? A. I remember the case of the payments of some of the Comptroller differed with the department and deayed the work and payment of the men. Q. Do you know whether the Comptroller con-

suited the Corporation Counsel with regard to his action? A. No. sir.
Q. dow long was the work delayed on that occasion? A. in one case some months; I should

casion? A. in one case some months; I should say taree months.

Q. it has been publicly alleged that Andrew H. G. een, Comptroiler, has unjustly resisted the payment of legal claims against this city, thereby causing the unnecessary expenditure out of the public freasury of large sums of money, in costs, disoursements and interest; the commuttee desire that you should give them all the information you possess with reference to this alegation. A. I could not particularize anything; I can only state generally that the Comptonier's construction of the law would some; mes differ with that of the neads of other departments, and delays of payments would ensure.

Q. Do you recollect any case of that kind? A. I recollect the case of the payment of some of the nature planting trees on the boulevards; the comptroller differed from us, and the case was taken to the courts and delay was occasioned.

sioned.

Q. Was the opinion of the Corporation Counsel taken on that case? A. I can't say.

THE ACTUAL DELAY.

Q. How long was the work delayed? A. In one case some months; I don't recollect how many

case some months; I don't recollect how many months.

Q is that the only instance of a legal claim he has resisted to your knowledge? A. there might be others that don't occur to me now; he would put his construction on the law, as any other department would, in making payments, and ne would apply to the Corporation Counsel for advice, and in that way delays may have occurred.

Q. Do you recollect any other cases? A. I don't reconlect any others.

Q. Could you refresh your memory on this point between this day and the next day of meeting?

A rossibly.

Q. I wish you would. The second allegation

Q. Could you refress your memory or this point between this day and the next day or meeting?

A rossibly.

Q. I wish you would. The second allegation is—"It has been publicly alleged that said Compiroter has at various times employed numerous lavored tawyers for the purpose of effecting legislation and of resisting the payment of legal claims, all of whose tees have been paid out of the public treasury." Is there within your knowledge any case of that kind? A. I know of none except from hearsay and the public prints.

Q. You don't know of your own knowledge whether the Compiroller has paid lawyers to resist payments and effect legislation as alleged?

A. I have no personal knowledge.

Q. If you recollect any case in which you can give your opinion or advice to the committee, with the reasons for your opinion or advice, they will consider it—otherwise reject it? A. On this subject i have no actual knowledge; I don't know whom ne paid; only know by reports in the newspapers.

papers.

DIPLOMATIC RETICENCE.

Q. Was any case brought to your knowledge luting your administration of your present office where he employed special counsel? A. Yes.

Q. To resist a claim or effect legislation in any way with regard to your department? A. I can only answer that I have no positive knowledge, except from persons appearing as counsel for or against.

Agains.

Q. Can you give any information to the committee to enable them to reach this fact; do you know of any parties having this information? A. No, except the Commissioner of Accounts.

Q. Any private parties? A. Know of no private parties.

parties.

Q. dave you been connected with the Board of Apportionment? A. Yes; up to the passage of the Apport connect? A. Yes; up to the passage of the charter of 1873.

42. It is also a leged here "that said Comptroller has illegally drive ed certain sums set apart for special purposes by the Beard of Apportionment and the laws of this state to other purposes not authorized by said Board of laws"—do you know anything of that? A. No.

42. It is further publicly alleged "that said Comptroller has at various times unjustly and mail-

troller has at various times unjustly and mali-ciously delayed the hayment of the salaries and wages of public officials and servants, thereby

temporarily depriving them of their just dues and inflicting upon them great loss and damage"—now state whether the Countroller, during his administration, to your knowledge, has detayed the payments of any of the officials of your department?

A. i believe he has.

INSTANCES OF DELAY.

Q. State an instance. A. I can't state in detail; I know of one case—that of Gilmore; he refused to pay him his saiary.

Q. Did he finally obtain it? A. I believe he did.

Q. How did he obtain it? A. By process of law through the courts.

to pay him his salary.

Q. Did he finally obtain it? A. I believe he did.

Q. How did he obtain it? A. By process of law through the courts.

Q. Had the Comptroller, previous to that refusal, paid Glimore? A. I believe he had.

Q. Then, aiter paying him for a time he refused to pay? A. Yes.

Q. Has h: paid him since? A. I think he has.

Q. Do you recollect any other instance of that kind connected with your department? A. I recollect an instance of one of the officers of the department; who was not paid on secount of some mistake in designating the title under which he acted; his name was Turnbull; a term clerk; he was aiterward paid.

Q. Did he perform services? A. He did.

Q. And he applied for his salary and was refused? A. Yes; I believe the title under which he held was wrongly designated as disbursing cierk.

Q. Had he been previous to that paid his salary regularly? A. I believe he had.

Q. So that after paying him some time he refused to pay and kept him out of his money for a time and is now again paying him? A. Yes; the payrol was corrected by myself; I changed the designation and title of the otheer.

PETTY TECHNICALITIES.

Q. Do you recollect any other instance in your department—of his refusal to pay the women working under you? A. Yes.

Q. Can you state anything to the committee concerning them? A. Wei, sometimes the names would be wrongly specified who did the work and the names set right.

Q. Do you recollect any of your scrub women being rejused their wages by the Comptroller? A. I don't know that any were actually rejused; I know there were come delays.

Q. In what case? A. I cannot particularize; I know there were celeays; don't know the reasons of delay: the Comptroller never gave a cause for it; the delays would be sometimes short, sometimes long.

Q. Do you recollect any other instance of officials or employes, scrupbers or others in your

Q. Do you recollect any other instance of

Q. Do recollect any other instance of officials or employes, scrubbers or others in your department having neem deplived of their wages or kept out of their wages of kept out of his saary—

Q. State to us whether during your experience as head of the Department of Public Works your department bas had any business with the Finance Department outing the incumbency of Mr. Green, and if you have been dostracted and retarded or aided and assisted in the prosecution of public works and public improvements connected with your department?

A. Appearing, as I do, under order of the committee, I would state that this matter is somewhat obtasted to me; there have been personal feelings, if I may use the left, and it must say that the department at times has been put to some difficult in procuring maternal, as parties would say they could not readily get their money; or, at the prices arreed upon by the Department of Public Works, toese oils would run the chance of being reduced, and parties would be compelled to receive the money at reduced rates or leave their warrants, as the case might by.

Q. Sate whether your department has been aided or obstructed by the Finance Department.

A. Idon't think we have been aided.

Q. we don't want implications. State plainly whether your department during your administration of it has been aided or obstructed.

Q. has the Finance Department to approve of the suretes on conificus in your department?

Has there been any obstruction in that way? A. There have been elays in approving sureties of confracts in four department.

Has there been any obstruction in that way? A. There have been elays in approving sureties of confracts in sour department.

By Aiderman Shandsy—have any property holders compliance of the proving sureties? A. I don't recollect any particular matance—there might have been.

By the Comprioner as not me and the proving sureties? What is the case of the personal fe

Q. You state that you left the Comptroller was unirtendly toward you. Can you give the committee an instance or an example where he was brusque or un itendly? A. I cannot particularise. By Algerman Shandley—Was it in your office or in the Comptroller's office where this orusque and unirtendly action took place? A. Sometimes in my own office.

Alderman Shandley—Have you received that official courtesy that should exist between two heads of departments, both acting for the public good? A. I don't think there has been that official courtesy existing that should exist—that courtesy that would be due to the proper and harmonious working of the city government.

By the Charman—It is in there publicly alleged that Comptroller Green has retarded the growth and prosperity of the city; give the committee your opinion whether the administration of the Finance Department by Mr. Green has been such as to retard the growth and prosperity of the city.

THE GROWTH OF THE CITY STOPPED.

A. That is a very difficult question to me to an-

as to retard the growth and prosperity of the city.

THE GROWTH OF THE CITY STOPPED.

A. That is a very difficult question to me to answer; out I would say, from my own stendpoint, if there had been a more liberal policy adopted there might have been greater progress and growth; I don't know of any public works having been retarded by him, except in a general way. In this connection witness referred to the Riversioe avenue and the Morangside property, which, if prosecuted, would have improved property and eased taxation, but in these two cases the head of the rinance Department and put a different construction on the law.

By Aiderman Suandley—Do you know of his having employed private counsel at Albany? A. Not to my knowledge; i saw people there who were said to be interested for the Finance Department in cases before the committees; I saw an officer on his payroll named Morrison there; don't know what he was operating on; also saw Dexier A. Hawkins there.

This closed the examination of Mr. Van Nort.

TESTIMONY OF MR. HOWE.

Mr. Lindsay J. Howe. Commissioner of Accounts.

soon the investigation of the accounts of the Department of Finance would be completed. Mr. Bowe replied he cound not tell, but, when pressed to give an approximate answer, he said not for thirty days probably.

By Alderman Shandley—Mr. Howe, what our you tell us of any delass and obstructions on the part of the Finance Department as affecting the exercise of your duries? A. Well, we have been obstructed by the refusal of the Comptroller to furnish papers which we consider necessary in order to make a therough investigation of his department; the Comptroller claims that he has a

obstructed by the refusal of the Comptroller to furnish papers which we consider necessary in order to make a the rough investigation of his department: the Comptroller claims that he has a right to decide which papers he should lurnish as and which he should not.

THE COMPIROLLER'S COURTESY.

Q. Have you ever applied for papers of this character which the Comptroller has refused to furnish? A. Yes, sir; only two weeks ago! applied for the monthly balance shee, as made up by the Comptroller—it was in printed blanks—and was refused;! first applied to the Depart Comptroller and then to the Comptroller, and was refused;! first applied to the Depart Comptroller and then to the Comptroller, and was refused by both of them.

Q. Any other instances? A. Yes, sir; a day or two anterward we applied for the monthly ledger balances of the different burraus; were first refused by the Deputy Comptroller, and wasne we went to the Comptroller he declined to talk to us.

Q. What reason did he give for this conduct? A. (Mr. Howe smiled as he gave the repry) the said that he couldn't have his valuable time taken up by talking to us. (Laughter.)

Q. Did you finally obtain possession of the papers? A. Yes, sir; my colleague, Mr. Westerveit, notified him that he would apoly to the Supreme Court for an order, and we got them the next morning.

Q. How long had you applied for them before you obtained them? A. Two or three days.

Q. And were you delayed in the exercise of your duties by reason of this refusal? A. Yes, we were very greatly delayed during the time.

Alderman Purrov requested the witness to explain his report of October 10, 1873, which stated that certain securities of the sinking fund were missing in the Department of Finance, but the witness declined to answer the question, as the reply would be more mily set forth in the Commissioners' forthcoming report. Messis Purroy and Shandley were in favor o making an answer compulsory, but Alderman Billinus thought the excuse was vand, and the question was land over.

Q. Do you

WHAT THE COMMISSIONERS ARE DOING.

A representative of the HERALD yesterday visited most of the bureaus of the city government and found many of the Commissioners absent. At the Department of Parks the Secretary, Mr. Irwin, reported that the Commissioners had all been present, but had left. He stated that the mans for the extension of Brooks avenue and at the next meeting would probably adopt the proposed improvements. At the Commissioners of Charities and Correc-

tion there were found Mr. Phillips, the venerable Secretary, and Superintendent Kellock, who were the only "visible" representative s of a powerful commission. Visitors sought in vain for a messenger or doorman to convey to the Commissioners, but Mr. Palllips met every one with a courteous response. A visit was made to Superintendent sponse. A visit was made to Superintendent Keilock, of the outdoor poor, who had between two and three o'clock yesterday over 500 persons wating upon him or the usual charity contribution of money. He was so busily engaged with the issue of cash that it was in possible to speak to him; but from one of the attaches the information was obtained that before two P. M. he had disbursed over \$2,000 in the time of the information was obtained that before two P. M. he had disbursed over \$2,000 in the time of the information was obtained that before two P. M. he had disbursed over \$2,000 in the time of the commissioners were found on any and in session with closed doors. It was ascertained from an official of the department that Dr. Day, Sanitary Superintendent, and Commissioner Matsell, of the police, were closeted with them.

In the Police Department there was found on duty Commissioner Duryea, and the officer at the door reported that the other Commissioners had put in an appearance for a little while. A door man win a basket of wood declared that none of the Commissioners were present; and it was only after great officiarly and considerable skirmishing that General Duryee was iound.

At the office of the Fire Commissioners, at fifteen minutes before three, the only representatives of the department who could answer questions were Mr. Jassen, a subordinate cierx, and Fire Marshal Sneiden. President Ferley, his associates, and even Mr. White, the secretary, were absent. The department did not even have a messenger to answer inquiries or direct the various visitors who called on ousness to the desks where they could transact it.

The Commissioners of Docks were on duty yes-

called on outsiness to the dessis where they could transact it.

The Commissioners of Docks were on duty yesterday, as well as Messra. Lynch and Jackson, who act as secretaries of the Board. The lew Commissioners seen, including Mr. Van Nort, who as late as a quarter to four was found at his desk, report nothing new and no probability for any immediate work to be given to the many thousands of work-tooman new sacking ammiorynent. The recom-

menoation of Mayor Wicknam that needs of departments refrain from attempting to influence legislation at Albany has nad some effect, as is snown by the number of well-field Commissioners who yesterday were en duty.

Before closing this article it may be proper to state that the Excise Commissioners have set a commendable example to other departments by so arranging their private business that one of the three Commissioners shall always be present. Yesterday Messrs. Stewart, Stiner and Marshall was their office, and at no hour of the day was there occasion for a visitor who asked for a Commissioner to turn away disappointed.

MUNICIPAL NOTES.

The Mayor was very busy at his office jesterday and signed an immense number of warrants.

The Mayor has not yet signed the Strack ordi-The Mayor has not yet signed the Strate ordi-nance relative to the use of snow ploughs and sweepers by city ratiroad companies.

The Board of Aldermen will meet to-morrow at two P. M.
Henry Clausen, William A. Fowler, William C. Kingsiey, William A. Bond and Commissioner Van Nort were among the visitors to the Mayor yester-day.

Nort were among the visitors to the assistance of the week large o

THE MAYOR AND THE GOVERNOR.

Mr. Wickham's Final Answer to the Governor.

CHARLES O'CONOR'S VIEWS.

The Testimony in the Cases of the Corporation Counsel and the Fire Commissioners Sent to Albany.

The Mayor on Monday sent his final answer to ter published last Thursday, in which the Governor argued to show that his request for the testimony in the cases of the Corporation Counsel and the Fire Commissioners who were removed by the Mayor was a just and proper one. With this answer the Mayor not only sent all the testimony taken in the cases of the removed officials, but he enclosed a letter addressed to him by Mr. Charles O'Conor, in which that eminent lawyer gives his opinion upon the delence made by Mr. Delaffeld Smith against the charges preferred against him by the Mayor. A portion of Mr. O'Conor's letter was made public some time ago, but that part which referred to the case of the Corporation Counsel has not heretofore been published. The following is the letter:-MR. CHARLES O'CONOR'S LETTER TO THE MAYOR.

NEW YORK, Jan. 29, 1875. Hon. WILLIAM H. WICKHAM, Mayor of the city of

New York:— Sir—Having perused the answer of the Corporation Counsel, I proceed in compilance with your desire to communicate such suggestions thereon as seem likely to be useful. For brevity, I may use the phrases "Ring" and "City Ring," now grown so lamiliar. They are not necessarily reproachiul or offensive. The word "king," as used in political parlance, means simply a united circle of individuals engaged in some object, enterprise or pursuit. In this communication it refers to the four persons who controlled our city government in 1871. A great distinction may justiy be made between them, for it has never been established that more than two of them fraudulently received any public money or had actual knowledge of any

commission. 1. The respondent once held a writing which distinctly offered \$3,000,000 for a release of certain offenders. This paper should be immediately called for and placed in sale custody, so as to be

such fraud or even cotemporaneous notice of its

2. The ordinance governing in Starkweather's case allowed two per cent for assessments returned as unpaid after "two personal demands for payment have been made by the Collector or Deputy Collector." Starkweather divided with Tweed, Barber and others, his fictitious deputies, \$130,000 as commissions on assessments that were not and could not have been made the subjects of a personal demand even once, much less twice. Aside from other objections this one is insuper-

Convolly, and the respondent insists that it can-not be recovered back. The result of a proposed suit can never be more than a matter of and consequently no more can be said touching the respondent's proposition than that it seems to be erroneous. The counsellor whom he consuited certifies that, as Connolly knew all the facts and paid voluntarily, he thinks the city is concluded.

It this be law, all prosecutions against the Ring and their associates, except pernaps Connolly himself, should be at once abandoned. But the authorities cited by him do not sup-port his position, and in T. C. Fields' case, page 82, the Court of Appeals distinctly overruled it. The principle that a bar resulteerom voluntary payment with knowledge of the facts is sound and well established ; but, as against the government, it does not apply to payments made by a public officer without authority or in contra-vention of law. (United States vs. Hunter, 5 Peters' R., 187; Johnson vs. United States, 5 Mason's R., 440, 441.)

from the City Treasury, as a subordinate, was di-vided by him with a set of fictitious deputies one of them being Tweed, a chief in the existing and notoriously corrupt city government.

knew all the facis and yet paid voluntarily, could hardly be a defence, if the common law has any claim to be esteemed "the perfection of reason." In his official letter of November 19, 1574, to Mayor have meyer, the respondent argues that Stark-weather received this money in good faith. That position does not seem to be now insisted on.

weather reserved this modey in good faith. That position does not seem to be now insisted on.

The respondent property concedes that his indgment ought not absolutely to control in this matter; and he assumed that his matter; and he assumed that his other is accompanied by a suggestion that, in such event, other counsel must be designated by you and paid by the city to perform his official duty in conducting the suit and in advocating it.

This seems an acknowingment that he could not act as counsel for the city in this large case.

The inherence is irresistible; his great intelligence could not fail to recognize it. This fact alone would seem to render his removal a necessity.

3. In respect to the Baird case, out one of the facts stated in your letter is questioned, and that is the appropriate coincidence in time between the release of the release from the Jones case and the mount to relear the Baird case. Your statement is strictly and hierary true; the attempt to impeach that is totally. The respondent's before mentioned letter to Mayor Havemeyer expressly states that the motion to discharge that releave from the Jones case was heard January 14, 1874. Notice of the motion to refer the Baird case was given on the stin of that same mourn or the 19th. The collectione is perfect. What infedences are deductibe from it or from any other undended or indip proven circumstance is for your consideration.

too.

4. Not as one of the charges; but incidentally jour letter suggests that Mr. Harvey, while noting, by the respondents gift, a public office under the city government, was chosen a referee: seven cases. The respondent has shown quite clearly that one of these siven was so referred prior to the time of that gentleman's appointment to office. It is not perceived, however, that your objection to this branch of the respondent's practice is theropy materially weakened. The difference between six and seven, in such a connection, hardly deserves notice.

the cupored private counsel at Albary 2 A. Not. in the cuportee of the committee; I saw an other or a said to be unterested for the Finance begaring the committee; I saw an other or a said to be unterested for the Finance begaring the committee; I saw an other or a said to see pact. A line with the committee of the committee of

mons: nor does any step in it appear to have been necessary or proper. The decision of the highest court, so often referred to, indicates that the suit by the county is the only one that can be

been necessary or proper. The decision of the highest court, so often referred to, indicates that the suit by the county is the only one that can be successfully prosecuted. All that has been said or shall be here said touching the prosecution or non-prosecution of Tweed by the Law Department subsequently to June 2, 1874, relates to the county suit. Confining ourselves to this list named sait will conduce to clearness.

On June 2, 1874, the county suit was at issue, ready for trial, and on the calendar. Mr. Pecknam, the only person with whom the respondent conferred in relation to this suit, states that immediately after the decision in the Court of Appeals in June, 1874, he proposed to bring it to trial, and was positively foroided to do so by the respondent. Here the case sleet, of course, until at some date not precisely ascertained, but certainly subsequent to the who (November, 1874, correspondence took place between those gentlemen, seeming to authorize Mr. Peckham to proceed. By its terms that did not necessarily refer to the case against Tweed. Whether the respondent so understood it or intended can only be a matter of conjecture. Mr. Peckham construed it as reflexing him from the respondent's prohiotion, and in December, 1874, he took steps to push the case against Tweed to trial. Almost upon the instant the respondent dismissed him from the conversion with that or any other business of the Law Department. This was late in December, 1874. The respondent science state suits, annexed to the respondents's almost properly be noticed.

2d. It will be seen that, with one exception, all the correspondence with any of those concerned in the State suits, annexed to the respondents a hower, bears date prior to June 9, 1874, or subsequently to November 9, 1874. Of course cachiter refers to the condition of things existing at its date. That one exception is the correspondence with any of those concerned in the state shale, and the respondent has not produced. That correspondence originated in General Bailow's lett

officiousness was treated with the most unexception able impartiality. Both were dismissed
at the same time—i. e., on or soon after December
30, 1874.

This is the whole case as to the specific charges
against the respondent. Scarcely a single lack assecred by you in reference to these charges is
drawn in question, so far as the most careful
scrutary colud discern any attempt of the kind in
the answer, the proof of each lack asserted in the
charges is move shown to be associately perfect.
The laterences which might tend to impogn the
respondent's motives are all denied by film;
and men may went differ in the question
of their accuracy. For any public purpose
or duty it does not seem necessary to main
tain any of them. Neither the private morals nor
the personal character of the respondent could be
successivily impeached. In these respects he
stands unquestionably and justify on the same
high plane in public and private esteem as every
one of the (Infessional gentlemen referred to by
him. Circumstances leading to and even warranting an unlavorable conclusion may, and not
unirequently do, exist in cases when that high
Judgment which sees all things and cannot err
acquirs the party of any objectionable intent.
Should you think fit to remove the respondent
from office you will doubtiess consader the propricty of expressing in your order to that effect
this personal exculpation.

* * * * * * * * *

It is fit to say here that, except by letters appenned to his answer, all dated prior to June 9,
1874, I never had any interview with the respondent or any correspondence with him, directly or
indirectly, from the time of his appointment until
your charkes were served, at or in which any
business matter was or could prop riy have been
referred to; and inriher, that I was never invited
to any succ consultation as is suggested in the
ietter of air, Peckham and myself, dated January
22, 1873.

The respondent makes the following statement:—

to any such consultation as is suggested in the letter of Mr. Peckham and myself, dated January 22, 1873.

The respondent makes the following statement:—"When the court of Appeals dismissed the State suits the gentlemen above named (O'Conor, Barriow and Peckham) were continued my counsel." Without pausing to observe on the singular free here, as in other places, evinced by this very questionable use of the possessive pronoun, I must say that so far as this statement refers to me it is not accurate. Subsequently to the decision of the Court of Appeals (June 9, 1874) nothing whatever passed between the respondent and myself, directly or indirectly, on any subject, public or private. And so lar from considering me his counsel at this stage of the outsiness the respondent, preparatory to mis dismissal of Messrs. Barlow and Peckham, advised Mayor Vance, in an efficial communication dated December 30, 1874, that, by my "practical withdrawal." he has been left "without a senior counsel." In this entirety and in every one of its elemental parts this statement was without color. It is not meant to intimate, nor is it beheved, that there was any windia his representation. The facts, however, are precisely the reverse.

If the re-pondent was in any manner made aware that I had withdrawn from general practice, he could not lairly have supposed that my incantion or abouty to serve the public gratoriously in this obsciess was diminished by that circumstance. Its mannest tendency was to increase both.

In connection with the dismissal of General Bar-

in connection with the dismissal of General Barlow and Mr. Pecknam, in December, 1874, a few nacts not noted in your letter, but incidently throwing light upon the question now before you, may properly be stated. The great leading and till established oftence was a their of \$600,000 commonly caned the Court House fraud. This was one of the se extraordinary transactions in respect to which but little professional ingeoutly was required to frame a plausible argument Against the existence of any judicial lemedy whatever. When, in 1871, on the tidings that suits by the State were imminent, the Corporation counsel, who had refused to prosecute, was advised by one of the impiricated to sue himself and the others, two very content and highly respectable memoers of In connection with the dismissal of General Barpheated to sue himself and the others, two very comment and highly respectable members of the Bar were consulted by him. They united in an opinion which he printed and extensively circulated. On its tenth page, in arguing against the right of the State, the learned gentlemen said that the facts constituted "a fraud or misconduct in respect to which an action must have accrued to the people of the county, if it be act onable at all." It must be supposed that the gentlemen who thus ventilated a grave doubt whether there was any remedy whatever continued to be associated with the Corporation Counsel until the month of December, 1872, when, as appears by letters annexed to his answel. tinued to be associated with the Corporation Counsel until the month of December, 1812, when, as appears by letters annexed to his answer, the respondents withdrew tueir retainers and sent his so-called retainer to Barlow, Peckham and O'Conor. During the two years succeeding this da e one of the latter gave attention to the State's civil suits, and two of them, Mr. Peckham and General Barlow, presented the State's inductment with such zeal, vigor and success that a leading co-conspirator was sent to the State Prison, Tweed was sent to the Pennentary, and the rest of the known officials were driven into exile. Those lacts being distinctly octore the mind the two classes of associate counsel between whom, on December 39, 1874, the respondent discriminated, the formally dismissed from any scency in the Ring prosecutions wessers. Barlow and Peckham, the connser who had thus efficiently pursued the conspirators, and substituted in their place the very gentiemen who had thus efficiently pursued the conspirators, and substituted in their place the very gentiemen who had promulgated their solemn quobt whether any action at an coun be maintained against them.

These facts cannot and will not be denied. In view of them is 1 for you to decide, in the whole case, whether, consistently with your duty, you can leave the respondent in charge of the suits against Tweed and his traudulent associates.

Very respectfully,

CH. O'CONOR.

MAYOR WICKHAM'S ANSWER.

The following is the Mayor's communication to the Governor, which accompanies the above letter and the testimony in the cases of the officia's against whom charges have been made, and upon proof of which the Mayor decided to remove NEW YORK, Feb. 22, 1875.

GOVERNOR SAMUEL J. TILDEN, Albany, N. Y .:-DEAR SIR-Your letter of the 17th inst. has been received and carefully considered.

With great deserence to your judgment upon any proposition of law, I cannot out achere to the construction of the statute of 1875 set forth in my letter of the 10th inst., and which was scied upor by our respective predecessors. It is, that the statute does not contemplate a new trial upon the merits, by the Governor, of an appointed officer of the city government, who has been removed by the Mayor, for cause and after a hearing had. Any other view seems to involve a practical subjection of the government of the city of New York to the Executive power of the State more complete than even that for years maintained through the oppressive commissions formerly appointed in Al-And, indeed, I do not understand that your

letter indicates any conflict between us as to the rights and duty of the Mayor in the cases men-

rights and duty of the Mayor in the cases mentioned.

It is proper, however, to remind you that my letter reserved to a number of precedents for the course pursued; but that your reply seems to assume that I had suggested out one. And, as to that one (the removal of the Commissioners of Public Charitles and Correction), you have been missed as to material acts.

In that case Mayor vance forwarded nothing whatever to the Governor, except the two papers published in the City Record, December 25, 1514, being his certificate of removal for the cause in it stated, accompanied by the statutory communication in writing of the Mayor's reasons for what he had done. The papers are biel, and, upon treating them, the Governor's approval of the removal made by the Mayor was expressed in writing, as required by the law, it was prougate back to New York by the Mayor's own messenger, who had

termined upon the course in such cases prescribed to him by the statutes.

On the 31st December, 1873, Mayor Havemorer had removed Alexander S. Toplanyi, a city marshal, for cause, and after a number of hearings. It is to be observed that the provisions of the statute which you have discussed only in telerence to the cases of hearls of departments apply equally to city marshals and to all the other inferior appointed officers who are mentioned in the charter and not specially excepted from their operation. In Toplant is case he testimony and papers, now on file in this office, are voluminous; our notaing was forwarded to the Governor or considered by him, except a oriel eitler from the Mayor, communicating ins reasons for the step, and the certificate, with the word "approved" indoresed over his signature. Copies of the gapers in that case are enclosed for your information.

The same proceedings were had in the matter of Henry C. Carey, a city marshal, removed by Mayor Havemorer: and copies of the papers in that case also are enclosed.

There was in case in which Governor Dix ever asked for or received from the Mayor anything more than a letter and certificate, such as are above mentioned, and which estad is add the forme carefully followed by me in my communications to you of the 31 inst.

As to the supposititious case you suggest, of a removal by the Mayor for a cause supported by alregations one or more of which might chance to be to the Governor personally known to be unfounded. I would remark that, it the Governor, holding meantime the certificate of removal, should communicate that information to the Mayor it would be entitled to, and wond receive from the distribution of a cane with the case to the information communicated by him, as all the evidence in the case to the information communicated by him, as all the evidence intents to removal or to explain to the Case. The Mayor might here with the other revidence in the case to the information to my personal or political considerations or not to have the f

axid of me.

And I am glad to be at liberty now to regard that comity to which you have referred—and, as I do so, you will understand that, by accessing to your request as to the cases now awaiting your approval, I am but making courteous expression of my deference to your personal wisnes in this particular instance.

I take piessure in sending to you herewith all the papers which were before me in making, on the 3d inst., the certificates of removais and the communications in writing to you of the reasons upon which the removals were based.

The proceedings in reference to the Fire Commissioners were instituted on the 2d nit, by a letter to them, by my direction, from my secretary (of winca a copy is herewith enclosed), requesting their attendance at my office two days thereafter, in the matter of a report made by the Commissioners of Accounts concerning the Fire Department. That report had been made to my predecessor in office, and had been my him referred to me for action. All taree of the Commissioners attended at the time designated, and I had with all of them a conversation in which delivered to them a copy of the report, and called their attention to the charges against them in it made.

I then told them that they would be heard on a

nad with all of them a conversation in which I delivered to them a copy of the report, and called toelr attention to the charges against them in it made.

I then told them that they would be heard on a day specified—when one or more of them again appeared and asked for an extension of time in which to prepare their defences. Upon the adjourned day at a targe of the Commissioners attended octors he, and, in the coarse of conversation, handed me their answers, in writing, to the charges preferred by the report.

It will be observed that their defences do not, otherwise than argumentatively, controvert the more material allegations of fact stated in the report of the Commissioners of Accounts. As to the matters which are in the written answers move sent to you and upon my own inquiries, found the lacts to be as stated in my letter to you of the 3d inst., on the subject.

It is proper to remark here that, since the removals were made, I have received from Mr. Harch a separate communication (which is also sent to you, denying complicity in certain when a separate communication (which is also sent to you, denying complicity in certain matters, in which he says that he offered resolutions in the Board which were voted down by Messra. Perley and Van Cott.

Had that paper been before me when my letter to find a was written I should have then given Mr. Hatch the benefit of suca exculpation from moral delinquency as can be lairly based upon it. But, upon the whole case, I consider it obligatory to hold him to an official responsibility for the paper sent to you are many of them originals, and you are requested to return them all to the first of the soft this office.

Of the proceedings had before me orally in these matters no manutes were made at the time, and, indeed, as to Mr. Smith's case, they but verified the information independently possessed by you.

Again requesting your prompt action in the cases referred to, and with assurances of my personal regard,

lan, with great respect, your friend and obedi-ent servant, WILLIAM H. WICKHAM.

THE BROOKLYN BRIDGE.

ELECTION OF OFFICERS-FINANCES. Yesterday afternoon, pursuant to adjournment

a meeting of the directors of the Brooklyn Bridge was held at the office, No. 21 Water street. were present :- Lawrence Turnure, James McLean, Charles G. Canda, David M. Stone, James S. T. Stranauan, Thomas Carroll, William Manshall, George L. Nicholis. Samuel Booth, Mayor Hunter, Samuel S. Poweil (Comptroller) and Mayor Wick consir. The minutes of the meeting having beer read and approved, Mr. Strannan submitted the following from the Committee on Nominations: "resident, Henry C. Murphy; Vice President, Adram S. Hewitt; Secretary, U. P. Quintard. He said the committee was not yet ready to report as to a Treasurer. A ballot was then taken for President and Vice President, William C. Kingsley and Lawrence Turnure ac ing as teliers. The entire vote cast was sixteen, which was for the officers nominated. Mr. Quintary was chosen Secretary. Mr. Kingsley moved that Mr. Prentice be appointed Treasurer. He advocated economy, and was of the opinion that Mr. Prentice would accept the position without peculiary reward. He was elected Treasurer, to act until another should be chosen. It was suggested that a committee be appointed to look after bridge legislation at Albany. On morios of Mr. Aspiniwal a committee of two was appointed from each city to take charge of the bridge offis. Mr. Turnure said he wanted to lave it understood what the bridge was to cost. It was rumored that it would cost ren or fitteen millions and the public should know all about the figures, and that they should know all about the figures, and that they should know all about the figures, and that they should know all about the figures, and that they should know all about the figures, and that they should know all about the figures, and that they should know all about the figures and the public should know all about the figures. The habilance of cash on hand to da'e of \$11,915 7a. The habilance of cash on hand to da'e of \$11,915 7a. The habilance of cash on that do de'e of \$11,915 7a. The habilance of cash on the company a hould to \$10,000. chair. The minutes of the meeting having beet

THE PRODUCE EXCHANGE

Yesterday the Produce Exchange had an important meeting in reserence to the great question of the grading of grain. Mr. John M. Hughes spoke in an able manner in opposition to the rules as recommended by the committee, but his principal objection seemed to be on the score of the citie. Messrs. George H. Webster and William J. Preston followed in lengthy speeches in favor of the rules as recommended by the committee to the Board of Managers. Mr. Preston had not concluded his argument when the Board adjourned until Friday morning next at hall-past ten o'clock.

There were appropriate resolutions passed by the petroleum trade in reference to the decease & a valued member.

Who departed this he (as herelofore noticed in these columns) at San Diego, Cai., On the 17th inst. Resolutions were passed condoling with his family and extolling the character of the deceased.

ceased.

THE CANAL DELEGATION

SO to Albany to-day to present the resolutions in regard to the canais, necessore adopted by the Exchange, and it is supposed that important legislation may be monified to suit the requirements of the merchants and the extendes of trade by the efforts of the committee named.

THE VISITORS AT THE EXCHANGE YESTER COMMITTEE AND HEAVED THE STORM AT THE EXCHANGE YESTER COMMITTEE AND HEAVED THE STORM OF THE STORM AND HEAVED THE STORM OF THE STO

the cause in its stated, accomp med by the statutory commanication in writing of the Mayor's reasons for what needs one. The papers are birel, and, upon reading them, the Governor's approvation to the removal made by the Mayor was expressed in writing, as required by the Mayor's rought back to New York by the Mayor's own messen, cf., who had been but a few nours in Albany. I enclose for your importation a copy of the number of the City hour mormation a copy of the number of the City hour mormation a copy of the number of the City hour mormation a copy of the number of the City hour mormation a copy of the number of the City hour of the City hour mormation at the documents.

Governor Dix had, a year before that date, de-